

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Adam Christopher Pepper,)	Civil Action No.: 0:17-cv-01998-JMC
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Acting Commissioner of Social Security,)	
)	
)	
Defendant.)	
_____)	

This matter is before the court on Plaintiff Adam Christopher Pepper’s (“Plaintiff”) Petition for Attorney’s Fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d). (ECF No. 37.) Following Plaintiff’s filing of his Petition, Plaintiff and the Acting Commissioner of Social Security (“Commissioner”) agreed to a Stipulation that Plaintiff should be awarded nine thousand dollars (\$9,000.00) in fees and ninety-nine dollars and seventy-seven cents (\$99.77) in expenses. (ECF No. 38.) In the Stipulation, Plaintiff’s Petition (ECF No. 37) was withdrawn. (ECF No. 38 at 1.) After reviewing the Stipulation (ECF No. 38), the court finds that the stipulated request for fees is reasonable and that Plaintiff is entitled to an award of attorney’s fees under the EAJA in the stipulated amount.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to be offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B). Therefore, the court directs that fees be made payable to Plaintiff and delivered to Plaintiff’s counsel. The amount of attorney’s fees payable to Plaintiff will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. If Plaintiff’s outstanding federal debt exceeds the amount of

attorney's fees under the stipulation, the stipulated amount will be used to offset Plaintiff's federal debt and no attorney's fees shall be paid. (*See* ECF No. 38 at 2.)

After a thorough review of the Stipulation (ECF No. 38), the court **APPROVES** the Stipulation (ECF No. 38) and awards \$9,099.77 in attorney's fees and expenses.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

November 09, 2018
Columbia, South Carolina